

1 HONORABLE JAMES L. ROBART  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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10 PUGET SOUND SURGICAL CENTER, P.S.,

11 Plaintiff,

12 vs.

13 AETNA LIFE INSURANCE COMPANY,  
14 AETNA, INC., AMTRAK HEALTH CARE  
15 PLAN, ANCHORAGE SCHOOL DISTRICT  
16 ACTIVE EMPLOYEE OPEN CHOICE PPO  
17 MEDICAL PLAN, BECHTEL JACOBS  
18 COMPANY LLC HEALTH AND WELFARE  
19 PLAN, STATE OF ALASKA ALASKACARE  
20 EMPLOYEE HEALTH PLAN, BANK OF  
21 AMERICA HEALTH CARE PLAN,  
22 NORDSTROM, INC. CLASSIC PLAN,  
23 STARBUCKS HEALTH CARE PLAN,  
24 COSTCO WHOLESALE HEALTH PLAN,  
SOUND HEALTH AND WELLNESS TRUST  
PLAN, WESTCO HEALTH PLAN,  
LOCKHEED MARTIN CORPORATION  
TOTAL HEALTH PLAN, and ADOBE  
SYSTEMS, INC. GROUP WELFARE PLAN,

Defendants.

NO. 2:17-CV-01190 JLR

**ORDER GRANTING PLAINTIFF'S  
MOTION TO FILE SUR-REPLY TO  
ANCHORAGE SCHOOL DISTRICT  
ACTIVE EMPLOYEE OPEN CHOICE  
PPO MEDICAL PLAN'S MOTION TO  
DISMISS**

*[PROPOSED]*

NOTE ON MOTION CALENDAR:  
FRIDAY, DECEMBER 8, 2017

*[Signature]*  
[PROPOSED] ORDER GRANTING PLAINTIFF'S  
MOTION TO FILE SUR-REPLY  
(2:17-cv-01190 JLR) - 1

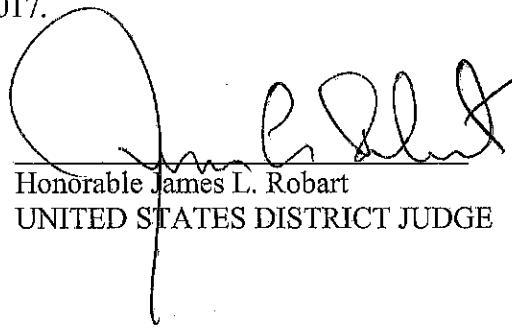
**AXELROD LLP**  
830 Third Avenue, 5<sup>th</sup> Floor  
New York, NY 10022  
(646) 448-5263

1 Plaintiff Puget Sound Surgical Center P.S. filed an Unopposed Motion seeking leave to  
2 file a Sur-Reply in response to the Motion to Dismiss filed by defendant Anchorage School Dis-  
3 trict Active Employee Open Choice PPO Medical Plan (“Anchorage”). (Dkt. # 27).

4 Plaintiff’s Motion is GRANTED. Plaintiff may file a Sur-Reply in opposition to the An-  
5 chorage Motion to Dismiss.

6 DATED this 11 day of Dec., 2017.

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Honorable James L. Robart  
UNITED STATES DISTRICT JUDGE

Presented By:

12 /s/ Robert J. Axelrod  
13 Robert J. Axelrod  
14 *Admitted Pro Hac Vice*  
15 AXELROD LLP  
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20 /s/ D.K. Yoshida, WBA # 17365  
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25 Attorneys for Plaintiff Puget Sound  
26 Surgical Center P.S.

[PROPOSED] ORDER GRANTING PLAINTIFF’S  
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(2:17-cv-01190 JLR) - 2

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 8, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties will be served in accordance with the Federal Rules of Civil Procedure.

DATED this 8th day of December, 2017.

s/ D.K. Yoshida  
D.K. Yoshida [WSBA NO. 17365]

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[PROPOSED] ORDER GRANTING PLAINTIFF'S  
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